

REMARKS

A total of 28 claims remain in the present application. The foregoing amendments are presented in response to the Office Action mailed October 17, 2006, wherefore reconsideration of this application is requested.

By way of the foregoing amendments, claims 4-7, 10 and 11 have been amended to address the Examiner's objections under 35 U.S.C. § 112. No new subject matter has been introduced by way of the foregoing amendment.

Referring now to the text of the Office Action:

- claims 4-7, 10 and 11 have been rejected under 35 U.S.C. § 112, second paragraph;
- claims 1-6, 10-15, 17-22, 25 and 27-29 stand rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,275,492.(Zhang); and
- claims 7-8, 23-24 and 30-31 stand rejected under 35 U.S.C. § 103(a) as being obvious in light of Zhang in view of Applicant's admitted prior art.

It is believed that the Examiner's claim rejections are fully traversed by way of the above-noted amendments, and further in view of the following comments.

Rejections under 35 U.S.C. § 112

Amended claims 4-7, 10 and 11 are now believed to conform to the requirements of 35 U.S.C. § 112.

Rejections under 35 U.S.C. § 102(e)

It is well known that a "forwarding table" and a "forwarding policy" are entirely different entities, and are in no way equivalent. In particular, a "forwarding table" provides a listing of match criteria and associated link identifiers. Thus, when an IP datagram is received, the forwarding table can be searched (using the match criteria) to identify links to which the datagram should be forwarded. A more detailed example of this operation is described at paragraph [0009] of the background portion of the present specification.

A "forwarding policy", on the other hand, is well known to define the logic which governs the forwarding of the datagram. Thus, the above-mentioned example of the operation of the forwarding table represents one particular forwarding policy. Literally: "IF (Match=true) THEN forward datagram to (Next hop, Next Hop Interface), ELSE discard the datagram". The "forwarding table" provides the data (i.e. the match criteria and associated Next hop and Next Hop Interface identifiers) needed to implement the rule, but it does not provide the rule's logic.

The mere presence of multiple forwarding tables in a router, and the possibility that corresponding tables in different routers may contain different information does not in any way imply that different forwarding policies are implemented in each router.

Zhang teaches that each router may have multiple tables (col 4, lines 17-23). Since each router populates its routing table(s) based on the content of received LSA's it is entirely possible that the content of corresponding tables in different routers may contain different information. However, none of this teaches or suggests that each router is implementing respective different forwarding policies, a required by the present invention. Furthermore, Zhang does not teach or suggest that the forwarding tables are used to control the flooding of LSAs. In fact, Zhang explicitly teaches that conventional LSA flooding is used to populate the forwarding tables.

In particular, at col 3, lines 24-41, Zhang states that the routers R1-R4 (FIG. 1) generate of forward LSAs "using the link state routing techniques described above". However, the only teaching of link state routing provided by Zhang (in fact, anywhere in the Zhang reference) is in the Background, at col 1, lines 25-53. As such, Zhang explicitly relies on conventional link state protocol for flooding LSAs. Since conventional link state protocols provide no provision for policy based forwarding of LSAs, and furthermore provide no suggestion that different LSA forwarding policies may be implemented in different routers, it follows that Zhang cannot possibly support a rejection of claims 1, 12 or 25 under 35 U.S.C. § 102(e).

In light of the forgoing, it is submitted that reconsideration and withdrawal of the Examiner's rejection of claims 1, 12 and 25, and their dependencies, under 35 U.S.C. § 102(e) is proper, and such action is courteously requested.

Rejections under 35 U.S.C. § 103(a)

Non-Citability of reference under 35 U.S.C. § 103(c)

Pursuant to 35 U.S.C. § 103(c), United States Patent No. 6,275,492.(Zhang) is believed to be non-citable as prior art for the purposes of 35 U.S.C. § 103(a) or (b), on the ground that, at the time the present invention was made, both the cited reference and the present invention were commonly owned. Common ownership is demonstrated by:

- The present invention is owned by Nortel Networks Limited by virtue of the assignment recorded at reel/frame: 011971/0880;
- United States Patent No. 6,275,492.(Zhang) is owned by Nortel Networks Limited by virtue of the assignments recorded at reel/frame: 009159/0947; 010461/0283; 010547/0891; and 011195/0706.

In light of the foregoing, it is submitted that the presently claimed invention is clearly distinguishable over the teachings of the cited references, taken alone or in any combination. Thus it is believed that the present application is in condition for allowance, and early action in that respect is courteously solicited.

If any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 19-5113.

Respectfully submitted,  
Nevein T. SULTAN, et al

/Kent Daniels/  
By: Kent Daniels, P.Eng.  
Reg. No. 44206  
Attorney for the Applicants

Date: January 16, 2007

Ogilvy Renault LLP  
Suite 1600  
1981 McGill College Avenue  
Montreal, Quebec  
Canada, H3A 2Y3  
(613) 780-8673